

REMARKS

The Examiner is thanked for discussing the case in late November and on December 27, 2004. No details were discussed in the November interview. In the December interview, the prior art and claims 39, 88 and 100 were discussed. Particularly, that the prior art was directed at such things as clocks and parking meters and not to personal computing devices as required in the claims. Although the Examiner agreed, the Examiner stated that he would like to see more structure and language directed at the relationship between the translucent portion and the light source. No agreement was reached in the interview.

In the Office Action, the Examiner allowed claims 1, 2, 4-30, 81-87, 102, 109-113 and 116, and objected to claims 41-49, 96-99, 114, 115, and 117-119.

The Examiner also rejected claims 39, 40, 88-95, 100 and 101.

Claims 14, 39, 42, 45, 46, 85, 88-90, and 92-102 have been amended. Claims 40, 41 and 91 have been cancelled. Claims 120 - 122 have been added. Thus, claims 1, 2, 4-30, 39-49, 81-90, 92-102, and 109-122 are pending in the application.

The amendments have been made to expedite the prosecution of this case. The Applicant reserves the right to go after the previous claims in a continuing application.

Claim Objections

The objections to claims 14, 45, 85, 101 and 102 have been overcome by the amendments made above.

With regards to claim 40, claim 39 includes "a translucent portion" and claim 40, which depends from claim 39 includes "the translucent portion." Claim 40 therefore has correct antecedent basis. In any event, claim 40 has been cancelled.

Claim Rejections – 35 USC 102(b)

Claims 88-93 have been rejected under 35 U.S.C. §102(b) as being anticipated by *Ng et al.* (5,222,076).

In contrast to *Ng*, claim 88 (and its dependents) specifically requires, "... a housing having a translucent portion, the housing enclosing internally various components that provide computing operations for the personal computing device. .." *Ng* does not disclose a personal computing device with a translucent housing, but rather a parking meter 10 with a housing having a transparent portion 18 and a parking meter is not a personal computing device (e.g., portable computer). While *Ng* may also disclose a portable computer 87, this portable computer 87 does not include a translucent portion and further a light source disposed inside the housing as required by claim 88. Furthermore, *Ng* does not provide any evidence for combining the portable computer 87 with the parking meter 10 to form an illuminable personal computing device. The portable computer 87 is used to communicate with the parking meter so that information can be transferred to and from the parking meter 10 through infra-red transmissions. It's the Applicants belief that the Examiner has used hindsight reconstruction of *Ng* with the Applicants own disclosure as a blueprint to recreate the invention from indirect teachings and links in *Ng*. Accordingly, the rejection is unsupported by the art and should be withdrawn.

Also in contrast to *Ng*, claim 88 (and its dependents) specifically requires, "...the illumination of the translucent portion affecting the appearance of the housing in a non trivial manner." No such feature is suggested or taught in *Ng*. Accordingly, the rejection is unsupported by the art and should be withdrawn.

Claims 100 and 101 have been rejected under 35 U.S.C. §102(b) as being anticipated by *Owen et al.* (5,450,221).

In contrast to *Owen*, claim 100 (and its dependents) specifically requires, "...the translucent wall being positioned at some location other than in front of the display screen..." In *Owen*, the non labeled wall of 66 is positioned directly in front of the display screen. In addition, it should be emphasized that the wall that the Examiner is referring to is part of the liquid crystal cell 66, which is not part of the molded housing 12 of the liquid crystal display package 10. In claim 100, it is the housing of the monitor that includes the translucent portion not the display

screen, which is contained by the housing. Accordingly, the rejection is unsupported by the art and should be withdrawn.

Also in contrast to *Owen*, claim 100 (and its dependents) specifically requires, "...the light from the light source producing an illuminated area at an outer surface of the translucent wall that affects the appearance of the housing in a non trivial manner." No such feature is suggested or taught in *Owen*. In *Owen*, it appears that the lamps illuminate the liquid crystal cell and nothing else. Accordingly, the rejection is unsupported by the art and should be withdrawn.

Claim Rejections – 35 USC 103(a)

Claims 39-40 have been rejected under 35 U.S.C. §103(a) as being unpatentable over *Lewis et al.* (5,422,751) in view of *Vessa* (5,008,870).

The rejections are moot based on the amendments above. Particularly, in order to expedite the prosecution of this case, claim 39 was amended to include the limitations of allowed claim 41 and intervening claim 40.

It should be noted that the Applicant still believes that the previous claim 39 should be allowed, and that the Applicant reserves the right to go after these claims in a continuing application. For example, in contrast to both references, claim 39 (and its dependents) specifically requires, "...an outer shell for providing a housing for at least a rear portion of said computer monitor, said outer shell including a transparent portion through which a portion of light emitted by said flat panel display in the back direction is able to pass, thereby illuminating the transparent portion when said flat panel display is active." *Vessa* does not overcome the deficiencies of *Lewis*. While *Vessa* may include a smoke translucent case 1, *Vessa* does not teach or suggest that light emitted in the back direction is able to pass through the back of the smoke translucent case 1. In fact, *Vessa* teaches away from allowing light to be emitted through the back of the smoke translucent case 1. As shown in Fig. 2, a PCB 2 is placed between the LEDs and the back of the smoke translucent case 1 and therefore light is prevented from passing to the back of the smoke translucent case 1. That is, the PCB 2 effectively blocks the light from the LEDs. To further drive this point, *Vessa* states, "...the lighted LEDs shine through the translucent front face and time is recognized by the position of the hands (Col. 2, lines 40-42)." Accordingly, the rejection is unsupported by the art and should be withdrawn.

In addition, it should be pointed out that *Vessa* does not teach a monitor as suggested by the Examiner. *Vessa* is directed at a clock not a monitor. The monitor of claim 39 is directed at a computer monitor as for example a monitor that can be connected to a personal computer for viewing a GUI. For this reason alone, it is believed that rejection is improper. For one, there is no basis in the art for combining or modifying the cited references *Lewis* and *Vessa* to produce the present invention. For another, it is also believed that *Vessa* is non-analogous art. Accordingly, the rejection is unsupported by the art and should be withdrawn.

Claims 94 and 95 have been rejected under 35 U.S.C. §103(a) as being unpatentable over *Ng et al.* in view of *Lewis et al.*

Lewis does not overcome the deficiencies of *Ng*. Neither reference teaches or suggests "... a housing having a translucent portion, the housing enclosing internally various components that provide computing operations for the personal computing device. ..." from claim 88 from which claims 94 and 95 depend. Furthermore, neither reference teaches or suggests, "...wherein the light produced in the first direction passes through an opening in the housing, and wherein the light produced in the second direction passes through the substantial portion of the housing that is translucent," as required by claims 94 and 95. Accordingly, the rejection is unsupported by the art and should be withdrawn.

Furthermore, it should be emphasized that the Applicant believes that rejection is improper. For one, there is no basis in the art for combining or modifying the cited references *Ng* and *Lewis* to produce the present invention. For another, it is also believed that *Ng* is non-analogous art. As should be appreciated, *Ng* is directed at parking meters while the claimed invention is directed at personal computing devices. Accordingly, the rejection is unsupported by the art and should be withdrawn.

Allowable Subject Matter

Claims 1, 2, 4-30, 81-87, 102, 109-113 and 116 have been allowed.

Independent claim 39 has been amended to include allowed dependent claim 41 and intervening claim 40. Allowed claim 42 has been amended to include the limitations from

independent claim 39 and intervening claim 40. Allowed claim 45 has been amended to include the limitations from independent claim 39 and intervening claim 40. Allowed claim 46 has been amended to include the limitations from independent claim 39. Allowed claim 96 has been amended to include the limitations from independent claim 88. Claims 39, 42, 45, 46 and 96 (and their dependents 43, 44, 47-49, 97-99, 114 and 115) are therefore allowable as the Examiner indicated allowable subject matter in the previous Action.

SUMMARY

Applicant believes that all pending claims are allowable and respectfully requests a Notice of Allowance for this application from the Examiner. Should the Examiner believe that a telephone conference would expedite the prosecution of this application, the undersigned can be reached at the telephone number set out below.

Respectfully submitted,
BEYER WEAVER & THOMAS, LLP

A handwritten signature in black ink, appearing to read "Hoellwarth", with a stylized flourish at the beginning.

Quin C. Hoellwarth
Reg. No. 45,738

P.O. Box 778
Berkeley, CA 94704-0778
(650) 961-8300